

## Art: what is *not* in the eye of the beholder



Jean-Michel Basquiat *Untitled* (1982)

Why does it matter whether an art piece is an original or a *perfect* fake? Can we see a *difference* between the work of a master abstract expressionist and art by a child or animal – or a Rembrandt and representational art by an AI? And what do answers to these questions have to do with evaluation in general?

Psychologist of art Ellen Winner offers insights with philosophical import on how art works. She argues for an essentialist view of art appreciation that claims that most of us judge the value of objects or experiences based on considerations not readily apparent – or even apparent at all – from the visible thing being judged *in isolation*. The criteria that matter in judging whether something is art or not, the claim is, are not observed features of the piece. Contextual “auras” *around* and scarcely discernible affordances *in* aesthetic achievements<sup>1</sup> may account for why a piece is deemed art or not art – and why it is judged “good” or “bad.” But these questions are asking different things:

### 1. Is it art or non-art?

1. The “aura” term Winner borrows from Walter Benjamin. For a defense of the idea that the visible, the immediately apprehended, aspects of a piece are not critical for art appreciation, that rather, the *performance* aspect – the fact that someone, some human, *achieved* it, with all the “overcoming” of self and material this entails – is, see Denis Dutton’s “[Artistic Crimes: The Problem Of Forgery In The Arts.](#)”

## 2. Is it good or not?

We will mostly deal with the first. The answer to the second may amount to whether one *likes* a piece or not: it may well be subjective. But whether it manifests *intersubjective* features that mark it as worthy of cultural value – *art* – can be answered differently. A piece may appeal to us personally without it following from this that we think it is a paragon of greatness, or that everyone should like it. Nor does the reverse follow: that because many find greatness in it, this says anything about whether you personally *will* like it.

If, for you, something triggers the response that it is a *good* instance of its kind, perhaps you are glimpsing something in, or about it, meriting this judgment. Whether you *like* it or not may be more a matter of personal history than a conviction you can defend before others. But if you do *see* something in the work beyond personal appeal, what could it be? Winner argues there are two possibilities:

- It demonstrates keen awareness of a **context**. It captures an instance of time and place or a predicament, a mood or recognizably shared orientation, etc. that has wide and enduring resonance. It may document an achievement in expression or in the history of aesthetic capability or sensibility. Anything from a personal despair at the disjointed time we live in to a technical discovery forever altering the course of art history, e.g., linear perspective or the capturing of light. As a beholder as well, seeing expressions or instances of these in a piece requires accomplished awareness.
- Even if you don't like what an artist is doing, you may have the sensibility to see that they are trying to do something and they are doing it well.<sup>2</sup> It shows off **intentionality** – more so the richer the intentionality. The detection of this feature enables discernment between an instance of abstract art and the work of a child or animal, or a natural object. Intentionality, together with context, explain a tireless perennial obsession with depicting nudity and suffering – loaded experiences. Nothing quite *frames existence* like sex and death. The gravity of these experiences is too abstract for child and animal consciousness, while nature is utterly indifferent. (And there can be no “gravity” involved if the maker of the aesthetic experience is not biologically mortal: e.g., AI.)

An artist does *not* exist in a vacuum of values and an art piece is always *about* something. But context and intentionality<sup>3</sup> are things we don't “see” in the facade of a piece, on its “sensuous surface.” They reside in the atmosphere or consciousnesses (plural) surrounding it. The “art experience” implicates creator and appreciator. Beholders are part of the environment, or “aura.” These in place, the piece may bend judgment. As gravity might perturb space-time, an aura warps the field of aesthetic normativity. So, there is something to *defend* to others in assessing the quality of an art piece. Beauty may be in the eye of the beholder, but meaning and value condense from the atmosphere around the object and the

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2. Maybe *not* liking it is an aid in understanding its intentionality. We should be suspicious of being taken in too readily by a piece. What personal distortions is it helping you nurse? Under the spell of attraction, we see less clearly. Or, better, we are *at once* pleased *and* pained, drawn to *and* repelled by, as Kant describes the “sublime” in contrast to the mere “beautiful.”

3. As logically fallacious as “intelligent design” arguments may be, psychologically, they make perfect sense. Atheists beware: remark that there is a lot of *unintelligent* design, then reign in your inferences.

consciousness suffusing its perception.<sup>4</sup> This is the difference between beauty in nature and the attention that animal/human artifacts garner. Both are finite, but the latter is an *achievement*, something or someone's. Achievements are what they are because they *matter*. They are expressions of normativity, not lovely pieces of driftwood on the beach. Move them from the beach and they may be.

Winner<sup>5</sup> presents a case *against* a prevailing extensionalist understanding of art: the idea that the value of art is *only* found at the edge of our sensory perception – what-you-see-is-what-you-get theory, what Dutton calls “sensuous surface.” No, she argues, we are “getting” much more than what we “see.” And, because this affordance is shareable, not just among art experts, but among many of us, it is not dismissively subjective.<sup>6</sup>



[Mark Rothko, \*Untitled \(Black on Grey\)\*, 1969 - 1970](#)

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4. Mark Rothko's paintings, at the cutting edge of abstraction, sometimes occasion highly emotional reactions, and are intended to.

5. [How Art Works](#), Ellen Winner (pdf), Oxford University Press, 2019.

6. The longstanding dispute between intensionalist and extensionalist understandings of experience, is evident in everything from literature to ethics. We may use the occasion to touch on this broader and deeper controversy. Even in politics: when was the last time we witnessed policies that clearly privileged *material* well-being over the *immaterial* dignity of human beings?... To those “with eyes to see,” this, too, is in the balance. Perhaps it was not even the material well-being of humans generally that counts but only that of those empowered to frame narratives and redact the rest as “disinformation.” The empowered “talk” as though the immaterial mattered (freedom, dignity, etc.), but on display is their material obsession.

## AI “art”



*AI art: “The Next Rembrandt”*

The piece titled *The Next Rembrandt* was painted by an artificial intelligence programmed to extract from many original paintings of Rembrandt characteristic elements of his subjects, style and technique, from his brush strokes, paint formulations, typical color palettes to his choice of canvas. With this information, the AI was tasked to create a *new* painting that Rembrandt, himself, might have painted. It is not a copy of a Rembrandt, rather a new painting so much in the spirit of Rembrandt that even an expert would be taxed to say it was not an original – once lost, now found – Rembrandt...<sup>7</sup> *But is it art?*

*“How can a computer replicate the humanity of Rembrandt’s portrait of his lover [Hendrickje Stoffels](#)?” art critic Jonathan Jones objected in [The Guardian](#). “It would have to go to bed with her first.”*

If all that matters is what you see in an artifact, it seems the answer is yes. It *looks* like art. It has most of the features that prototypical art – and, more specifically, *Rembrandt* art – has. And, of course, Rembrandt was an artist.

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7. [“How to Paint Like Rembrandt, According to Artificial Intelligence: Data scientists have long tried to quantify the artist’s creative genius. This spring, one project came closer than any other.”](#) Tim Brinkhof, *Discover Magazine*, Aug 23, 2021.



What are the features of *prototypical* art? Philosopher of art [Denis Dutton](#) offers this list of candidates:

- Skill and virtuosity (?)
- Novelty and creativity (?)
- Representation (?)
- Expressive individuality (likely)
- Emotional saturation (?)
- Direct pleasure (?)
- Intellectual challenge (may be true of “great” art)
- Imaginative experience (likely)
- Culture of criticism (?)
- Style (?)
- Special focus (?)
- Existing within art traditions and institutions<sup>8</sup> (?)

These features are commonly *associated* with art objects. It is easy to think of exceptions to each of those marked with (?) – most of them. Clearly, not all things we call “art” have *all* these things. This is not a list of *necessary* conditions. Some full-fledged art objects may be missing some items. And (probably) no one of these things would be a *sufficient* condition for calling something “art” – meaning *having* that feature would *not* insure it would qualify as “art.” It’s just that *typically* things we call “art” *tend* to have items on the list. Having items on this list is *suggestive* of being art.

Winner goes through Dutton’s list looking to see if any items are *both necessary and sufficient* to qualifying an object for art status. This is the kind of thing philosophers and theoreticians like to do: *define* things. It helps with taming a confusing world... Winner points out exceptions to almost every item – cases where a recognized art piece doesn’t have one of these “prototypical” features. Only two items come close to being essential, whose complete absence might exclude using the term “art” to describe it: *expressive individuality* and *imaginative experience* may seem to be minimally qualifying. The more of the listed items an object has, the likelier it is to be seen as art, and if it includes *intellectual challenge*, too, it may rise beyond knickknack or craft to *great* art. But even a knick-knack can own some morsel of expressive individuality and imaginative experience – just not much, but enough to be “art” as opposed to “non-art” – recall, we are *not* asking whether it is “good” art. Absent any measure of these two, expressive individuality and imaginative experience, and we are not talking art. The other items on the list art – even great art – may fail to have.

Winner agrees with Morris Weitz<sup>9</sup> that, unlike many other concepts, art is “open-ended.” Concepts may be closed to varying degrees. At one end, is the very “closed” (pun-intended) concept of a triangle: a three-sided closed figure. There is no room for the claim that somewhere there exists a four-sided triangle or an unclosed one. It is simply not a triangle if it is either of those things. Similarly with the concept of bachelor: an unmarried male. A married or non-male person is not a bachelor.

But most of the conceptual furniture of the universe is neither fully closed nor open, but somewhere on the spectrum between. Many natural kinds – concepts that have *more or less* stable boundaries, that describe things in the natural world as opposed to social or cognitive constructions – but not absolutely

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8. See Winner’s book for why all these features are not exclusive to art, nor is art hampered by missing any one of them – one or two excepted, perhaps.

9. See passage from Weitz in Appendix.

so. All swans are white. All water is  $H_2O$ . For centuries people in Europe believed that being white was an essential part of the definition of a swan, [until black ones were discovered in Australia](#). Not all water is  $H_2O$ . Some is  $D_2O$  (deuterized water) or, more rarely,  $T_2O$  (tritiated water).<sup>10</sup> Similarly, not all people are heterosexual...<sup>11</sup>

But the situation with the “art” notion is that it may be, disruptively and quintessentially, as *open* as concepts go. We want to say there *must* be standards about what qualifies as such or not, yet if ever there was a concept whose boundary rules thrive on exceptions, this is it. Aesthetics is, in comparison to logic and ethics, the *least* disciplined, the *least* stable, the *most* fluid realm of normativity – the cognitive realm where value assertions are made. Logic is fiercely dictatorial, ethics only somewhat less so, while aesthetics *plays* with rules – for the occasion, for the fun of it, it can seem.



Tim Jenison contemplating the scene he paints

## Neither talent nor genius

Tim Jenison's accomplished [project of painting a Vermeer](#) demonstrates neither talent nor genius *in art* – as inventor, an obsessive, a paragon of intrepid patience, yes, but not as an artist. His Vermeer is “an achievement,” but not art, why? Tim readily admits as much. This does not make him or his effort less remarkable. But as much as his phenomenal project is admirable, it does not take anything away from Johannes Vermeer, as Tim himself, again, admits. This because, by whatever method or trick Vermeer accomplished his paintings (Tim thinks Vermeer used an adjustable mirror mounted on a stick permitting a reflection of the object image close intimacy with the painted image on a canvas), Vermeer – the artist, visionary, genius, or tinkerer – operated in the risky atmosphere guaranteeing nothing of

10. Deuterized (heavy) water is potable in small concentrations. Tritiated (super heavy) water is radioactive and toxic. Both occur naturally mixed with normal water – deuterized in minute portions, tritiated extremely so.

11. [Estimates of distribution](#) in the population.

recognition for his singular contributions. He worked despite the unlikelihood of recognition. He was, in fact, forgotten for a centuries, and only serendipitously rediscovered, his work [having been mistaken for](#) the work of others.<sup>12</sup> Genius operates in obscurity, where it may – and likely *will* – be swallowed without a trace. How many other artists like Vermeer remain, and will remain, in oblivion?<sup>13</sup> One might think it faith in something that motivates genius. But that would be too forward-looking. It is a push from behind, not some imagined achievement, recognition, or fulfillment still in store. Tim was pushed hard and may well have been a genius of a sort, just not of the artistic kind.

## Forgeries – what they show

It would be difficult to find any individual within the art community that would make the statement that forgery is pure art in and of itself. However, Wolfgang Beltracchi, who is perhaps the most financially successful art forger of the 21st century, argues just that. Beltracchi, who was discovered in 2010 of forging works of art for over 40 years, states that, “In my thoughts, I created an original work, an unpainted painting by the artists of the past.” He further claims to be one of the most exhibited artists in the world, whether people know it or not. Spending only 3 years in prison, Beltracchi now sells his own work which has begun to earn him a seven-figure sum.<sup>14</sup>



Beyond the obvious – that we don’t like being duped, what’s wrong with forged artworks? Not all fakes are equal. Some are bad and easily spotted, and if they are not spotted, we tend to blame the fooled as in the case of [Knoedler & Co](#), trusted art dealers, par excellence.<sup>15</sup> But what about those forgers that display such mastery of the original artist’s technique that we can’t help but admire them, *even as fake-makers*? This seems to have happened in the recent case of [Wolfgang Beltracchi](#). *Technically*, there is no reason why a forger may not be a *better* artist than the artist he or she is mimicking. However, being a “better” artist is not all there is to being a *great* artist. To paraphrase Wittgenstein, “genius is talent *plus* courage.”<sup>16</sup> Technique, skill, education, etc.,

12. Notably, [Pieter de Hooch](#), among others.

13. Call it “aesthetic luck” – analogue to [moral luck](#) – that some artists have, Rembrandt, Picasso, etc. The stars align for them *during* their lifetimes. For others, sometimes later and sometimes never... Sometimes intoxicated drivers make it home having *not* killed anyone.

14. “[From Michelangelo to Beltracchi: The Origins of Forgery](#).” *The Art | Crime Archive*, November 2017.

15. Legal institutions don’t exactly enshrine this principle, but – *morally*, some victimizations are deserved. These people *should* have known better. It’s not hard to see how sympathy for the forger may outweigh that for the legally victimized.

16. From the posthumous selected set of notes, *Culture and Value* (rev. English ed., Blackwell, 1998): “Genius is not ‘talent and character’, but character manifesting itself in the form of a special talent.” (p. 40) and “One might say: ‘Genius is courage in one’s talent’.” (p. 44). For Wittgenstein, moral courage, the willingness to inhabit danger and risk loss, was the most salient aspect of character. This is evident in the seriousness manifested in his life as much as in his work.



beyond a basic modicum, is not sufficient to exceed mere competence and step into the realm of aesthetic singularity. Courage is not a knack. It is willingness to step into the unknown, leaving support and assurance behind, and accept whatever happens after that step. It is more of a push from behind than the pull of some hoped-for accomplishment. It can happen that the accomplishment, *if* it happens and *if* it is ever noticed, will be posthumous. If *only* outcome or consequence matters, courage is a fool's game.<sup>17</sup> Vulnerability to being "pushed from behind" into the unknown is not as common as carrot-seeking where carrots are known to be.

What makes Beltracchi less worthy of aesthetic achievement than the artists whose methods he copied to make "new" lost paintings is not lack of skill or imagination, but his failure to use his phenomenal skill and imagination *courageously*. To *risk* doing something no one had before and face *the predictable rejection* that comes with rocking aesthetic boats. Instead, he pulled off beautifully

executed works that were, however, *stylistically* "readymades." Duchamp, though perhaps less artistically gifted than Beltracchi, was the greater artist in demanding his [urinals](#) be taken seriously.



But the forgery story does not end here... If Beltracchi was fully conscious of the risk of being caught forging in such high-stakes environments, offending the authoritative arbiters of value in art, and, willing to accept the consequences, *persisted forging anyway*, who's to say *this is not courage*? Is he not a genius of a sort after all? Is it possible that Beltracchi, by forging as successfully as he did, was a moral vigilante, exposing a deeply corrupted corner of culture (that culture itself does not wish to police) at some risk to himself? That, *even after exposure*, he remains materially well-off, that his lawyers made successful settlements, is further

testimony of the depth of corruption.<sup>18</sup> If we see things this way, then moral taint attending forgery may be redeemed: *when the spectacle of bad people doing bad things makes us aware of worse people doing worse things...*

And if the moral taint is removed, compensated for, or neutralized, we are left free to judge Beltracchi's art on *purely* artistic grounds, its own. Can "unpainted paintings by artists of the past" be art? Can forgery be a form of *performance* art? As a Beltracchi, and not *as* the work of those he forged, his work is a performance and an achievement, and if, in addition, it successfully struggles against the friction that courage requires for manifestation, it may rise to genius.<sup>19</sup> Some of the most powerful and effective

17. This is why Kant rejected consequence-driven ethics. Behavior motivated by wish or probability, future orientations, presupposes an anthropocentric metaphysics: that the world *ever* concerns itself with our desires or calculations. Suppose a deterministic world is the only one there is? In which case, only hypothetical "shoulds" play a part in it. Carrot and stick driven behavior explains *all* movement by biological creatures... (Needless to say, Kant's own moral metaphysics verges on [incomprehensibility](#) on other grounds.)

18. We have seen this before. Check out the white collar crime section of "[Boys Kill](#)."

19. Again we take moral and aesthetic realms to be like sovereign nations which promulgate internal laws that may only



performance art upends institutions as though guided by a mission statement – which perhaps it is.<sup>20</sup>

What does ethics have to do with art? As institutions go, none are more culturally anchoring than prevailing moral intuitions, on which *toothed* “best practices” – that is to say, jurisprudence – are founded. Anchoring *any* human institution – what logic and ethics attempt<sup>21</sup> – is asking for corruption. Is art bounded by morals and laws? The short answer is *no*. No other human normative practice has the same liquid relations with rules. If there is a discernible feature of *consequential* forms<sup>22</sup> of art, this might be it. And, of the arts, none is more in-your-face<sup>23</sup> about this than performance art. And what human activity *cannot* be viewed as performance art?<sup>24</sup>

“The line between art and life should be kept as fluid, and perhaps indistinct, as possible.”

– [Allan Kraprow](#)

“If you share your life on the performance art stage, you put yourself in a position to be seriously judged as a good person or bad person. At times I was worshiped as a goddess – art lovers lavished me with gifts, shared their beautiful tears, gave me their blessings, sprinkled me with their love and adoration. At other times I was hated – protested against, screamed at, threatened with arrest, consistently censored, stalked, and I even had my life threatened. On stage I simply shared who I was, which happens to be a lot of things that a lot of people love to judge and to hate; an ex-prostitute, a pornographer, a witch, a Jew, a lesbian, a feminist, and yes... a performance artist. Interestingly, the people who expressed the most hatred never met me or saw my work.”

– [Annie Sprinkle](#)

“The history of performance art is integral to the history of art. It has changed the shape and direction of art history over the last 100 years, and it’s time that its extensive influence is properly understood. Throughout art history, performance (think Futurism, Dada, Surrealism, early Rauschenberg, or Vito Acconci) has been the starting point for some of the most radical ideas that have changed the way we artists and audiences – think about art... Whenever a certain school, be it Cubism, Minimalism, or conceptual art, seemed to have reached an impasse, artists have turned to performance as a way of breaking down categories and indicating new directions.”

– [RoseLee Goldberg](#)

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*pretend* to reach beyond their borders. If the overreach appears to succeed, it is a matter of contingent might, not right – not as though there were some authority outside either. See our discussion of [normativity](#).

20. See, for instance, [The Art Story: Performance Art](#) (from which, the quotes below from performance artists, were taken).

21. Here I illustrate the autonomy of the aesthetic realm of normativity. Each of these three – logic, ethics, and aesthetics – are each powerful and *internally* justifying. They sometimes cooperate and sometimes are hostile or indifferent to each other. Are you looking for a perch *outside* these realms from which to judge the validity of their respective authority? There isn’t any. As previously remarked: under godless skies. One may argue this division of authority helps mitigate *power concentration* and a subsequent inevitable decline of integrity.

22. It would be inconsistent with this thesis to suggest that purely decorative, commercial, or pop art can be summarily excluded. Rule-transgression is more aptly “in the eye of the beholder” than art. *Nothing* is excused from enlistment for transgression – from the banal ([soup cans](#)) to the deadly ([boxcutters](#)).

23. [Marina Abramovic](#), for instance, in her now classic performance piece [Rhythm 0](#) (1974). We don’t suggest that in-your-faceness is prototypical of great art, let alone a requirement. Subtlety is also on the palette. Indeed, these might work swimmingly together to shock some sense into complacency as in Lars von Trier’s [Dogville...](#) [our take](#).

24. I think this true of the greatest philosophers as well. No one illustrates the *performance* requirement of philosophy for me better than [Socrates](#) and [Otto Weininger](#).

## Resources

- “[How Art Works: Psychological Approaches to Philosophical Questions](#),” lecture (video) by Ellen Winner to the American Philosophical Society, 2018.
- [How Art Works](#), Ellen Winner (pdf), Oxford University Press, 2019.
- “[Wolfgang Beltracchi, the greatest art forger](#)” (video) documentary on one of the great art forgers of recent times. Question: can a piece of art, ostensibly much less valuable than an original, *accrue* value precisely *because* of the skill of the forger and circumstances of the forgery? In other words, is aesthetics *not* bound by ethics, contrary to a received account of their relationship?
- Before Beltracchi, there was van Meegeren: [Han van Meegeren’s Fake Vermeers](#). “Forgers, by nature, prefer anonymity and therefore are rarely remembered. An exception is Han van Meegeren (1889–1947). Van Meegeren’s story stands out uniquely, and it is arguably the most dramatic art scam of the twentieth century.”
- “[What’s Wrong With This Picture? The Downfall of Knoedler & Co.](#)” 17 million dollar *fake* Jackson Pollock.
- “[The Next Rembrandt | 3D Ai ‘Painting.’](#)” Nic Thurman offers an impressionistic critique of an AI’s “New Rembrandt,” constructed by distilling features and techniques lifted from Rembrandt’s work to produce a “new work,” supposedly indistinguishable from his. Beyond his hemming and hawing and the faces he makes, is his critique convincing?
- [Fake Rothkos and Pollocks](#) and the system that permits them.
- [Tim’s Vermeer](#) documentary on how Vermeer may have invented photography *before* it was invented. The visible may be evidence for the invisible.
- [Jean-Michel Basquiat Untitled \(1982\)](#) – sold in 2017 for 110.5 million, bought for 19K in 1984.
- David Dutton offers a defense of the claim that human achievement, as opposed to “sensuous surfaces,” comprise a major portion of aesthetic value. See “[Artistic Crimes: The Problem Of Forgery In The Arts](#),” *The British Journal of Aesthetics*, Volume 19, Issue 4, Autumn 1979, pp. 302–314.

## Appendix: Morris Weitz

from “The Role of Theory in Aesthetics” *The Journal of Aesthetics and Art Criticism*, XV (1956), 27–35.

Theory has been central in aesthetics and is still the preoccupation of the philosophy of art. Its main avowed concern remains the determination of the nature of art which can be formulated into a definition of it. It construes definition as the statement of the necessary and sufficient properties of what is being defined, where the statement purports to be a true or false claim about the essence of art, what characterizes and distinguishes it from everything else. Each of the great theories of art—Formalism, Voluntarism, Emotionalism, Intellectualism, Intuitionism, Organicism—converges on the attempt to state the defining properties of art. Each claims that it is the true theory because it has formulated correctly into a real definition the nature of art; and that the others are false because they have left out some necessary or sufficient property. Many theorists contend that their enterprise is no mere intellectual exercise but an absolute necessity for any understanding of art and our proper evaluation of it. Unless we know what art is, they say, what are its necessary and sufficient properties, we cannot begin to respond to it adequately or to say why one work is good or better than another. Aesthetic theory, thus, is important not only in itself but for the foundations of both appreciation and criticism. Philosophers, critics, and even artists who have written on art, agree that what is primary in aesthetics is a theory about the nature of art.

Is aesthetic theory, in the sense of a true definition or set of necessary and sufficient properties of art, possible? If nothing else does, the history of aesthetics itself should give one enormous pause here. For, in spite of the many theories, we seem no nearer our goal today than we were in Plato's time. Each age, each art-movement, each philosophy of art, tries over and over again to establish the stated ideal only to be succeeded by a new or revised theory, rooted, at least in part, in the repudiation of preceding ones. Even today, almost everyone interested in aesthetic matters is still deeply wedded to the hope that the correct theory of art is forthcoming. We need only examine the numerous new books on art in which new definitions are proffered; or, in our own country especially, the basic textbooks and anthologies to recognize how strong the priority of a theory of art is.

In this essay I want to plead for the rejection of this problem. I want to show that theory—in the requisite classical sense—is *never* forthcoming in aesthetics, and that we would do much better as philosophers to supplant the question, “What is the nature of art?,” by other questions, the answers to which will provide us with all the understanding of the arts there can be. I want to show that the inadequacies of the theories are not primarily occasioned by any legitimate difficulty such, e.g., as the vast complexity of art, which might be corrected by further probing and research. Their basic inadequacies reside instead in a fundamental misconception of art. Aesthetic theory—all of it—is wrong in principle in thinking that a correct theory is possible because it radically misconstrues the logic of the concept of art. Its main contention that “art” is amenable to real or any kind of true definition is false. Its attempt to discover the necessary and sufficient properties of art is logically misbegotten for the very simple reason that such a set and, consequently, such a formula about it, is never forthcoming. Art, as the logic of the concept shows, has no set of necessary and sufficient properties; hence a theory of it is logically impossible and not merely factually difficult...



*Extended writeup for the topic hosted at*

*[The Philosophy Club](#) in December 2023*

*– Victor Muñoz*

*Guanajuato / Seattle*

## Presentation questions

What is art? What is non-art? What are its criteria? Are there *necessary* conditions something has to meet before it can be called “art,” *sufficient* ones? Both? Philosophers like to have these spelled out if possible... But this has turned out to be very difficult for an interesting reason, I suggest.

Two proposals coming close to being necessary conditions, according to some, are expression of *context* and *intentionality*<sup>25</sup> – what are these?

What do *forgeries* tell us about what art is? And what might this have to do with the difference between *talent* and *genius*?

Speaking of forgeries, what is *the relation between art and ethics*? Is art obligated to be moral or must it be respectful of moral judgment? Is *amorality* part of the definition of art?

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25. Having and operating in a context. The “art experience” is mediated by a context the observer may construe a relation to. This is barely possible with children and animals, with whom we have an evolutionary and biographical relation: we are, or once were, animals or children... But with AI, the air is thin at the heights of imagination or abstraction required. This is why it is harder to conceive of an AI production as “art.” The AI does not respond to experience – a context. Its performance is not a reaction to an awareness of its condition.